

117TH CONGRESS
1ST SESSION

H. R. 4896

To direct the Secretary of Agriculture to establish a program to provide reimbursement to agricultural producers for losses sustained due to illegal immigration.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2021

Mr. PFLUGER (for himself, Mr. TONY GONZALES of Texas, Mr. CUELLAR, and Mr. VICENTE GONZALEZ of Texas) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Agriculture to establish a program to provide reimbursement to agricultural producers for losses sustained due to illegal immigration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reimbursing Agricul-
5 tural Producers for Immigration Damages Act” or the
6 “RAPID Act”.

1 **SEC. 2. REIMBURSEMENT TO AGRICULTURAL PRODUCERS**
2 **FOR LOSSES SUSTAINED DUE TO ILLEGAL IM-**
3 **MIGRATION.**

4 (a) IN GENERAL.—Not later than 60 days after the
5 date of the enactment of this Act, the Secretary of Agri-
6 culture shall establish a program under which the Sec-
7 retary will reimburse agriculture producers for qualified
8 damages due to illegal immigration, to be known as the
9 Emergency Land and Food Program.

10 (b) APPLICATION.—

11 (1) IN GENERAL.—An agricultural producer
12 seeking reimbursement under this Act shall submit
13 an application to the Secretary in such time, in such
14 manner, and containing such information as the Sec-
15 retary may specify.

16 (2) RESPONSE.—Not later than 30 days after
17 the receipt of an application under paragraph (1),
18 the Secretary shall—

19 (A) determine whether to provide the
20 amount of reimbursement requested in such ap-
21 plication; and

22 (B) notify the agricultural producer sub-
23 mitting such application of that determination.

24 (3) VERIFICATION.—The Secretary shall estab-
25 lish a process under which the Secretary shall verify
26 claims for reimbursement specified in an application

1 submitted under paragraph (1) with a Federal law
2 enforcement agency, the applicable State or local law
3 enforcement agency, or a State agency designated by
4 the Governor of the State in which the applicant is
5 located.

6 (c) AMOUNT.—The maximum amount a single agri-
7 cultural producer may receive as reimbursement under
8 this section for a fiscal year shall not exceed \$100,000.

9 (d) PRIORITY.—

10 (1) IN GENERAL.—In providing reimbursements
11 under this section, the Secretary shall give priority
12 to applications submitted by agricultural producers
13 who are located in counties determined under para-
14 graph (2) to have high levels of illegal immigration.

15 (2) HIGH LEVELS OF ILLEGAL IMMIGRATION
16 COUNTIES.—The Secretary shall consult with the
17 Secretary of Homeland Security, the Commissioner
18 of U.S. Customs and Border Protection, and the
19 heads of other relevant Federal agencies to deter-
20 mine which counties in the United States have high
21 levels of illegal immigration along the southern bor-
22 der of the United States.

23 (e) REPORT TO CONGRESS.—Not later than one year
24 after the date of the enactment of this Act, and annually
25 thereafter until the date specified in subsection (f), the

1 Secretary shall submit to the Committee on Agriculture,
2 the Committee on Homeland Security, and the Committee
3 on Appropriations of the House of Representatives and the
4 Committee on Agriculture, Nutrition, and Forestry and
5 Committee on Homeland Security and Governmental Af-
6 fairs, and the Committee on Appropriations of the Senate
7 a report on the nature of the payments made to agricul-
8 tural producers under this section, including—

9 (1) the number of applications for reimburse-
10 ment under this section that were approved;

11 (2) the number of such applications that were
12 denied and the reasons for such denials; and

13 (3) data on the amount of reimbursement pro-
14 vided to each producer, the median amount such re-
15 imbursement, and the counties in which recipients of
16 such payments are located.

17 (f) DEFINITIONS.—In this section:

18 (1) AGRICULTURAL PRODUCER.—The term “ag-
19 ricultural producer” means a producer of an agricul-
20 tural product (as defined in section 207 of the Agri-
21 cultural Marketing Act of 1946 (7 U.S.C. 1626)),
22 other than a processed or manufactured product.

23 (2) QUALIFIED DAMAGES.—The term “qualified
24 damages” includes damages to property of an agri-
25 cultural producer that are determined by a Federal

1 law enforcement officer, a State or local law enforce-
2 ment officer in the location involved, or the State
3 agency designated by the Governor of the State in-
4 volved to result from the actions of an alien present
5 in the United States without lawful status under the
6 immigration laws (as such term is defined in section
7 101 of the Immigration and Nationality Act (8
8 U.S.C. 1101)), including—

9 (A) livestock loss and damage;

10 (B) crop loss and damage;

11 (C) damage to perimeter fences;

12 (D) damage to physical structures; and

13 (E) property loss and damage.

14 (g) SUNSET.—The Secretary may not provide reim-
15 bursement under this section on or after September 30,
16 2023.

17 (h) FUNDING.—

18 (1) IN GENERAL.—There is rescinded
19 \$300,000,000 of the unobligated balance of amounts
20 made available by 602(a)(1) of the Social Security
21 Act (42 U.S.C. 802(a)(1)).

22 (2) APPROPRIATION.—If sufficient unobligated
23 amounts made available by 602(a)(1) of the Social
24 Security Act (42 U.S.C. 802(a)(1)) are available on
25 the date of enactment of this Act to execute the en-

1 tire rescission described in paragraph (1), then on
2 the day after the execution of the entire rescission,
3 there is appropriated to the Secretary, out of
4 amounts in the Treasury not otherwise appropriated,
5 \$300,000,000 to carry out this section.

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